

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USCA Docket Number:

USDC Docket Number : 03-cv-12231

Phillip L. Tropeano, et al

v.

Charlene Dorman, et al

CLERK'S CERTIFICATE

I, Tony Anastas, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents as indicated on the certified copy of the docket and contained in Volume(s) I are the original pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 3/15/05.

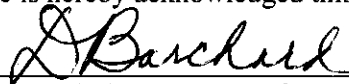
In testimony whereof, I hereunto set my hand and affix the seal of this Court on March 22, 2005.

Tony Anastas, Clerk of Court

By: 

Jeanette Ramos, Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 3/23/05.


Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:03-cv-12231-RGS**

Tropeano et al v. Dorman et al
Assigned to: Judge Richard G. Stearns
Cause: 28:1332 Diversity-Contract Dispute

Date Filed: 11/13/2003
Jury Demand: None
Nature of Suit: 190 Contract:
Other
Jurisdiction: Diversity

Plaintiff

Philip L. Tropeano

represented by **Frederick J. Conroy**

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Plaintiff

Peter Tropeano

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Matthew J. Conroy
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Thomas M. Ciampa
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Plaintiff

Carolyn Patton

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V.

Defendant

Charlene Dorman

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Defendant

Bianca Dorman

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Defendant

Lydia Dorman

represented by **Gary C. Crossen**
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Defendant

Todd Dorman

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Defendant

T & N Realty Trust

represented by **Gary C. Crossen**
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Defendant

**Captain Parker Arms
Partnership**

represented by **Gary C. Crossen**
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*LEAD ATTORNEY
ATTORNEY TO BE
NOTICED*

Date Filed	#	Docket Text
11/13/2003	<u>1</u>	COMPLAINT against all defendants Filing fee: \$ 150, receipt number 51652, filed by Carolyn Patton, Peter Tropeano, Philip L. Tropeano.(Flaherty, Elaine) (Entered: 11/17/2003)
11/13/2003		Summons Issued as to Captain Parker Arms Partnership, Bianca Dorman, Charlene Dorman, Lydia Dorman, Todd Dorman, T & N Realty Trust. (Flaherty, Elaine) (Entered: 11/17/2003)
11/13/2003		If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Dein. (Flaherty, Elaine) (Entered: 11/17/2003)
01/21/2004	<u>2</u>	MOTION to Dismiss by Captain Parker Arms Partnership, Bianca Dorman, Charlene Dorman, Lydia Dorman, Todd Dorman, T & N Realty Trust.(Flaherty, Elaine) (Entered: 01/28/2004)
01/21/2004	<u>3</u>	MEMORANDUM in Support re <u>2</u> MOTION to Dismiss filed by Captain Parker Arms Partnership, Bianca Dorman, Charlene Dorman, Lydia Dorman, Todd Dorman, T & N Realty Trust. (Flaherty, Elaine) (Entered: 01/28/2004)
02/04/2004	<u>4</u>	MOTION for Extension of Time to 3/3/04 to opp motion dismiss by Carolyn Patton, Peter Tropeano, Philip L. Tropeano.(Flaherty, Elaine) (Entered: 02/10/2004)
02/04/2004	<u>5</u>	AFFIDAVIT in Support re <u>4</u> MOTION for Extension of Time to 3/3/04 to opp motion dismiss. (Flaherty, Elaine) (Entered: 02/10/2004)
02/10/2004		Judge Richard G. Stearns : Electronic ORDER entered granting <u>4</u> Motion for Extension of Time (Flaherty,

		Elaine) (Entered: 02/10/2004)
02/18/2004	<u>6</u>	MOTION to Disqualify plaintiffs' Counsel by Captain Parker Arms Partnership, Bianca Dorman, Charlene Dorman, Lydia Dorman, Todd Dorman, T & N Realty Trust.(Flaherty, Elaine) (Entered: 02/19/2004)
02/18/2004	<u>7</u>	MEMORANDUM in Support re <u>6</u> MOTION to Disqualify Counsel filed by Captain Parker Arms Partnership, Bianca Dorman, Charlene Dorman, Lydia Dorman, Todd Dorman, T & N Realty Trust. (Flaherty, Elaine) (Entered: 02/19/2004)
02/18/2004	<u>8</u>	AFFIDAVIT in Support re <u>6</u> MOTION to Disqualify Counsel. (Flaherty, Elaine) (Entered: 02/19/2004)
03/08/2004	<u>12</u>	NOTICE of Appearance by Thomas M. Ciampa on behalf of Carolyn Patton, Peter Tropeano, Philip L. Tropeano (Flaherty, Elaine) (Entered: 03/24/2004)
03/08/2004	<u>13</u>	NOTICE of Withdrawal of Appearance Attorney Frederick J. Conroy and Matthew J. Conroy terminated. (Flaherty, Elaine) (Entered: 03/24/2004)
03/10/2004	<u>9</u>	MOTION for Leave to File reply memo by Captain Parker Arms Partnership, Bianca Dorman, Charlene Dorman, Lydia Dorman, Todd Dorman, T & N Realty Trust.(Flaherty, Elaine) (Entered: 03/17/2004)
03/16/2004		Judge Richard G. Stearns : Endorsed ORDER entered granting <u>9</u> Motion for Leave to File (Flaherty, Elaine) (Entered: 03/17/2004)
03/16/2004	<u>10</u>	REPLY to Response to Motion re <u>2</u> MOTION to Dismiss filed by Captain Parker Arms Partnership, Bianca Dorman, Charlene Dorman, Lydia Dorman, Todd Dorman, T & N Realty Trust. (Flaherty, Elaine) (Entered: 03/17/2004)
03/17/2004	<u>11</u>	Judge Richard G. Stearns : MEMORANDUM AND ORDER on Defendant's Motion to Disqualify Plaintiffs' counsel, ENTERED.(Flaherty, Elaine)

		(Entered: 03/18/2004)
03/17/2004	•	*** Attorney Gary C. Crossen for Charlene Dorman; Lydia Dorman; Todd Dorman; T & N Realty Trust; Captain Parker Arms Partnership and Bianca Dorman added. (Flaherty, Elaine) (Entered: 03/18/2004)
04/01/2004	• <u>14</u>	MOTION to Amend complaint as a matter of right by Peter Tropeano, Philip L. Tropeano.(Flaherty, Elaine) (Entered: 04/13/2004)
04/13/2004	•	Judge Richard G. Stearns : Endorsed ORDER entered granting <u>14</u> Motion to Amend (Flaherty, Elaine) (Entered: 04/13/2004)
06/02/2004	• <u>15</u>	MOTION to Dismiss amended complaint for failure to state a claim by Captain Parker Arms Partnership, Bianca Dorman, Charlene Dorman, Lydia Dorman, Todd Dorman, T & N Realty Trust.(Flaherty, Elaine) (Entered: 06/04/2004)
06/02/2004	• <u>16</u>	MEMORANDUM in Support re <u>15</u> MOTION to Dismiss filed by Captain Parker Arms Partnership, Bianca Dorman, Charlene Dorman, Lydia Dorman, Todd Dorman, T & N Realty Trust. (Flaherty, Elaine) (Entered: 06/04/2004)
06/15/2004	• <u>17</u>	STIPULATION extending time for plaintiff to respond to defts' motion to dismiss by Captain Parker Arms Partnership, Bianca Dorman, Charlene Dorman, Lydia Dorman, Todd Dorman, Carolyn Patton, T & N Realty Trust, Peter Tropeano, Philip L. Tropeano. (Flaherty, Elaine) (Entered: 06/18/2004)
06/21/2004	•	Judge Richard G. Stearns : ORDER entered ELECTRONIC ENDORSEMENT re <u>17</u> Stipulation, filed by Philip L. Tropeano, Peter Tropeano, Carolyn Patton, Charlene Dorman, Bianca Dorman, Lydia Dorman, Todd Dorman, T & N Realty Trust, Captain Parker Arms Partnership" Treated as a motion, and allowed." (Flaherty, Elaine) (Entered: 06/21/2004)

06/22/2004	• <u>18</u>	Cross MOTION for Partial Summary Judgment by Peter Tropeano.(Flaherty, Elaine) (Entered: 06/23/2004)
06/22/2004	• <u>19</u>	MEMORANDUM in Opposition re <u>15</u> MOTION to Dismiss and in support of cross motion for partial summary judgment filed by Carolyn Patton, Peter Tropeano, Philip L. Tropeano. (Flaherty, Elaine) (Entered: 06/23/2004)
07/14/2004	• <u>20</u>	NOTICE of Hearing on Motion <u>15</u> MOTION to Dismiss, <u>18</u> MOTION for Partial Summary Judgment: Motion Hearing set for 9/30/2004 02:30 PM in Courtroom 21 before Judge Richard G. Stearns. (Johnson, Mary) (Entered: 07/14/2004)
07/16/2004	• <u>21</u>	MOTION for Leave to File Excess Pages by Captain Parker Arms Partnership, Bianca Dorman, Charlene Dorman, Lydia Dorman, Todd Dorman, T & N Realty Trust.(Flaherty, Elaine) (Entered: 07/19/2004)
07/16/2004	• <u>22</u>	MEMORANDUM in Opposition re <u>18</u> MOTION for Partial Summary Judgment filed by Captain Parker Arms Partnership, Bianca Dorman, Charlene Dorman, Lydia Dorman, Todd Dorman, T & N Realty Trust. (Flaherty, Elaine) (Entered: 07/19/2004)
07/20/2004	•	Judge Richard G. Stearns : Endorsed ORDER entered granting <u>21</u> Motion for Leave to File Excess Pages (Flaherty, Elaine) (Entered: 07/20/2004)
07/30/2004	• <u>23</u> c	MOTION for Leave to File by Carolyn Patton, Peter Tropeano, Philip L. Tropeano.(Flaherty, Elaine) (Entered: 08/02/2004)
07/30/2004	• <u>24</u> c	NOTICE of Change of Address by Thomas M. Ciampa (Flaherty, Elaine) (Entered: 08/03/2004)
08/13/2004	•	Judge Richard G. Stearns : electronic ORDER entered granting <u>23</u> Motion for Leave to File (Flaherty, Elaine) (Entered: 08/13/2004)

09/17/2004	●25	NOTICE OF RESCHEDULING, issued. (Johnson, Mary) (Entered: 09/21/2004)
12/02/2004	●	Electronic Clerk's Notes for proceedings held before Judge Richard G. Stearns : Motion Hearing held on 12/2/2004 re <u>15</u> MOTION to Dismiss filed by Charlene Dorman, Bianca Dorman, Lydia Dorman, Todd Dorman, T & N Realty Trust, Captain Parker Arms Partnership, <u>18</u> MOTION for Partial Summary Judgment filed by Peter Tropeano. Motion are taken under advisement. (Court Reporter James Gibbons.) (Hamilton, Maria Raia) (Entered: 12/02/2004)
02/22/2005	●26	Judge Richard G. Stearns : MEMORANDUM AND ORDER on Defendant's Motions to Dismiss and Plaintiffs' Motion for Summary Judgment, ENTERED.(Flaherty, Elaine) (Entered: 02/22/2005)
02/22/2005	●	Civil Case Terminated. (Flaherty, Elaine) (Entered: 02/22/2005)
02/24/2005	●27	Judge Richard G. Stearns : Electronic ORDER OF DISMISSAL entered. (Johnson, Mary) (Entered: 02/24/2005)
03/15/2005	●28	NOTICE OF APPEAL as to <u>27</u> Order by Philip L. Tropeano, Peter Tropeano. \$ 255, receipt number 62782 NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 4/4/2005. (Flaherty, Elaine) (Entered: 03/16/2005)